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Attorneys for Intervenor

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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HIGHLAND PARK CDO I GRANTOR  
TRUST, SERIES A,

Plaintiff,

v.

MATTHEW STUDER, FRED GRAFT,  
ERNIE MALAS, AND PETER  
CORATOLA,

Defendants.  
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Civil Action No. 08 CV 01670

Hon. Naomi Reice Buchwald

**NOTICE OF MOTION**  
**OF SENIOR LENDER TO**  
**INTERVENE AND TO**  
**DISMISS COMPLAINT OF**  
**MEZZANINE LENDER**

Please take notice that, pursuant to Federal Rules of Civil Procedure 12 and 24, Intervenor Wells Fargo Bank, N.A., as Trustee for the Morgan Stanley Capital I Inc. Commercial Mortgage Pass-Through Certificates Series 2006-XLF ("Intervenor") will move this Court before the Hon. Naomi Reice Buchwald, 500 Pearl Street, Courtroom 14-B, New York, New York, intervene and to dismiss the complaint of the mezzanine lender in the above-captioned action.

Dated: New York, New York  
June 10, 2008

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: s/Gregory L. Curtner

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2008, I electronically filed the foregoing paper with the Clerk of the court using the ECF system, which will send notification of such filing to the following:

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